

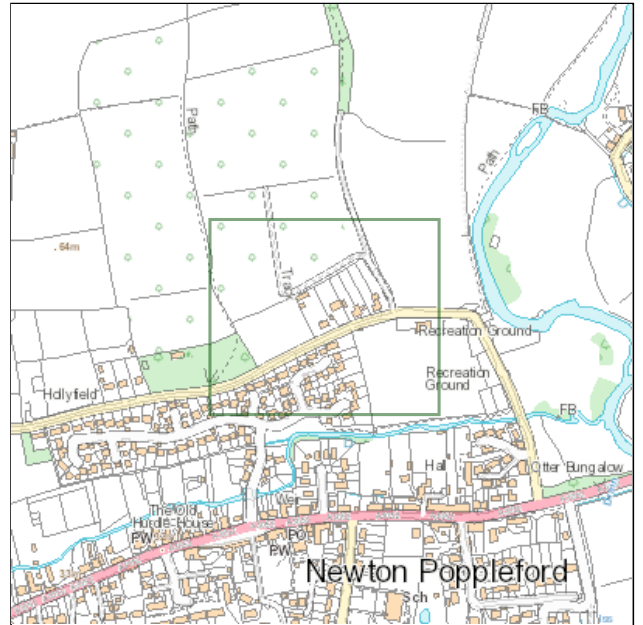
Ward Newton Poppleford And Harpford

Reference 23/0624/FUL

Applicant Mr D Welch

Location Luscombes Back Lane Newton Poppleford
Sidmouth EX10 0EZ

Proposal Replacement of 5no outbuildings associated to
one dwelling, with 3no new outbuildings for
workshop/store and stables.



RECOMMENDATION: Approval with conditions

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		Committee Date: 22.08.2023	
Newton Poppleford And Harpford (Newton Poppleford And Harpford)	23/0624/FUL	Target	Date:
		17.05.2023	
Applicant:	Mr D Welch		
Location:	Luscombes Back Lane Newton Poppleford		
Proposal:	Replacement of 5no outbuildings associated to one dwelling, with 3no new outbuildings for workshop/store and stables.		

RECOMMENDATION: Approval with conditions

EXECUTIVE SUMMARY

This application is brought before the Committee owing to a difference of opinion between officers and the ward member.

Luscombes is a detached dwelling set within a large sloping plot, around 0.2 hectares in area, located on the northern side of Back Lane just outside of the Built-up Area Boundary of Newton Poppleford as defined in the adopted Villages Plan and made Neighbourhood Plan. The area is within the designated East Devon Area of Outstanding Natural Beauty (AONB).

The application proposal involves the removal of five ancillary structures positioned close to the rear boundary, on the most elevated part of the site, and the construction of three replacement outbuildings in the form of two workshop/storage buildings and a further building housing 2no stables. The scheme also includes the laying out of a concrete yard within the north eastern corner of the site and the continuation of an existing driveway that extends alongside the eastern boundary to create vehicular access to the proposed workshop/storage buildings.

It is accepted that the increase in aggregate floor area (approximately 80%) and volume of building, when compared with the existing outbuildings, that would result from the development would not be insignificant. However, it is considered that the extent of the additional impact upon the AONB that would result, taking that already created by the present structures into account, would not be unduly harmful to its rural landscape character or landscape or scenic beauty or to the amenities of neighbouring residents.

The development would be viewed from the main point of public vantage locally, namely the nearby playing field, in the context of the ribbon of properties along Back Lane of which Luscombes forms part. It would be visible against a backdrop of rising land, hedges and trees and would avoid both breaking the skyline and, owing to the generous plot size, appearing as an overdevelopment of the site.

Moreover, it is considered that the similarity of the proposed built forms and intended use of the same palette of wall and roof finishes (timber effect walls with metal roof sheeting, subject to details to be agreed) for all three buildings would be acceptable.

It is not agreed that the proposal would be in conflict with the various local and neighbourhood plan policies referred to by the parish council, ward member and interested third parties or that the various recommended grounds for opposing it could be readily substantiated in the event of an appeal. The overall balance of considerations is considered to weigh in favour of the development.

CONSULTATIONS

Local Consultations

Parish/Town Council

This application was discussed by Council at an Extraordinary Meeting on Tuesday, 18th April. Whilst Council acknowledges that the applicant has responded to objections to the previous application 22/2424/FUL (withdrawn) by reducing the height of the buildings, proposing two buildings where there was originally one and making changes to the materials to be used. However, on review this application remains substantially the same as the earlier application and there are fundamental issues that the applicant cannot alter:

1. This property is in an Area of Outstanding Natural Beauty
2. The property is situated in the countryside outside the village Built Up Area Boundary.
3. The property is on a sloping site highly visible from many parts of the village.
4. The land is Grade 1 Agricultural land.
5. The height of the buildings will be visible against the skyline and the aspect will be further compromised by the removal of existing, mature tree*.

This application contravenes a number of NPHPC Neighbourhood Plan policies ' namely: HQD1, H3, EP1, EP6, EP7 and TH1 for exactly the same reasons as were stated in Council's response to application 22/2424/FUL. The application also contravenes Strategy 7 and Policy EN13 of the East Devon Local Plan.

To allow this substantial development would result in the permanent loss of over 400 square metres of protected East Devon AONB. Council does not believe that the applicant has provided any mitigation for this or proved the 'exceptional need' required to justify such a loss. The proposed development is inappropriate in size, location and setting. On that basis Council voted by majority to object to this application.

* We note that the application form states that no trees are to be removed which is patently incorrect as the plans indicate the removal of 5 trees and their replacement with new trees which will take some years to reach maturity.

Newton Poppleford and Harpford - Cllr Chris Burhop

This application replaces 22/2424/FUL which was withdrawn by the applicant following significant objections from neighbours, the Parish Council and myself.

I note the change in design from one huge building to several smaller buildings. I am pleased that the original metal cladding design has been replaced with a timber clad proposal. However the proposed roof is stated to be in metal cladding which would be unacceptable under policy HQD1.

However the proposed principle structures appear to be located once again at the highest point on the plot, towering over the existing house and surroundings from the steeply sloping site. The change in height from the original application appears to be a mere 5cm, an almost insignificant reduction.

In contrast to the applicant's design and access statement (2.0 planning policies) I honestly cannot agree that the concerns raised in the original application have been addressed. In particular (NHP EP1) this does not "give great weight to the conservation and enhancement of the natural environment", "not... degrade the visual quality... of the rural landscape", "...appear dominant when viewed against skylines or significant lines or groups of large mature trees" (the applicant's location is directly in front of a prominent row of poplar trees which forms the skyline of the locale), "maintain and where appropriate extend tree cover" (despite not stated in the formal application form (presumably in error) the application actually calls for the removal of mature trees to facilitate building, to be replaced with newly planted trees. This cannot comply with this policy).

Furthermore I can only see the proposed increased facility of the site from this application leading to an adverse effect on the levels and frequency of noise in the area, in contrast to policy EP6.

The site is classed on EDDC's own register as being within the classification of best and most versatile agricultural land.

This application does not conserve or enhance the AONB.

There is a suspicion that this application has at least a semblance of an industrial workshop complex given the applicant's trade within the fishing industry and history of vehicular and storage access to the site. If this application is approved there must be an absolute condition that no outbuildings can be used for any form of trade or works.

The applicant is blessed with living in a beautiful location, in a prominent position on the edge of the village in the AONB. With that comes responsibilities to preserving the environment that they are custodian of. In my opinion the location is totally unsuited to the location and scale of buildings proposed, nor the nature of the expected storage.

Unfortunately, in my opinion, this latest submission fails to address the key issues identified in the previous application. I remain convinced that the application is flawed in respect of both the EDDC local plan and the Newton Poppleford neighbourhood plan.

Technical Consultations

None.

Other Representations

Two representations of objection have been received.

Summary of Grounds of Objection

1. Contravenes Local Plan (LP) Strategy 7 and Policy EN13; no over-riding need has been shown for non-agricultural or forestry development.
2. Doesn't meet requirements for development within the AONB, in the countryside outside of the Built-Up Area Boundary and within Grade 1 agricultural land.
3. Permission would set a dangerous precedent for future similar applications.
4. No exceptional need demonstrated to justify irreversible loss of AONB land.
5. No exceptions are made in either the LP or the NHP for private gyms, trailer parks, boat parks, classic car restoration, household tools & storage, lawn mowers, horses or car parking.
6. Equestrian use (i.e. stables and hay storage) is specifically not supported by NHP policy EP1 h) which requires developments within the ED AONB to "avoid causing damage from leisure use (e.g. equestrian)."
7. The land could be used for agriculture in the future; therefore irrelevant that it is not so used at present. Existing temporary buildings could be removed to return the land to agricultural use but proposed permanent development could not.
8. New buildings would not be subservient to the main dwelling.
9. Contravenes NHP policy EP1 f) as the height of the new buildings will be visible against the tree line, preventing a 'soft edge' to the ED AONB, especially as this site is on a hill and the existing screening trees will be removed.
10. No reasonable justification for the height of the new buildings
11. The development site is far too big with approx. 400 sq. m. of AONB permanently lost to buildings and hardstandings.
12. Removal of trees contrary to NHP policies TH1 3a), 3b) and 3d), EP1 a), b), e) g) and EP7 a),
13. Replacement tree planting will not provide effective screening or the same ecological benefit for many years, possibly decades.
14. Application contravenes NHP policies EP1 a), b) and c); the proximity of the new buildings to ancient hedges will adversely affect the environment, habitats and wildlife.
15. Applicant's lifestyle choices, resulting in storage and space issues, are not a valid justification for sacrificing AONB or Grade 1 agricultural land.
16. Night time light from the roof lights could affect bats.

PLANNING HISTORY

Reference	Description	Decision	Date
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22/2424/FUL	Erection of workshop/store and stable	Withdrawn	17.03.2023
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POLICIES

Adopted East Devon Local Plan 2013-2031 Policies

Strategy 7 (Development in the Countryside)

Strategy 46 (Landscape Conservation and Enhancement and AONBs)

D1 (Design and Local Distinctiveness)

D2 (Landscape Requirements)

EN14 (Control of Pollution)

EN19 (Adequacy of Foul Sewers and Adequacy of Sewage Treatment System)

EN22 (Surface Run-Off Implications of New Development)

Made Newton Poppleford and Harpford Neighbourhood Plan 2020-2031 Policies

EP1 (Conservation and enhancement of the East Devon AONB and Natural Environment)

EP2 (Minimising damage to existing properties)

EP4 (Surface Water Run-off)

EP6 (Local Amenity)

HQD1 (Maintain the built character of our parish through High Quality Design)

TH1 (Trees and Hedgerows)

Government Planning Documents

NPPF (National Planning Policy Framework 2021)

ANALYSIS

Site Location and Description

Luscombes is a detached two storey dwelling that occupies a sizeable plot, approximately 0.22 hectares in area, located on the northern side of Back Lane to the north of Newton Poppleford village centre.

It is located at the western end of a ribbon of six residential properties and almost opposite the Newton Poppleford Playing Field.

The site occupies a hillside position and therefore slopes down relatively steeply from north to south with the dwelling itself positioned nearer to the road frontage, albeit still comparatively elevated above the level of the highway.

A group of five ancillary single storey outbuildings to the rear occupies the highest part of the site close to its northern boundary, which is defined by an established hedge. An access driveway extends alongside the eastern site boundary with the neighbouring property Applegarth and connects these buildings with the principal dwelling.

The whole area forms part of the designated East Devon Area of Outstanding Natural Beauty (AONB).

Proposed Development

The application proposal involves the removal of all five outbuildings and the construction of two workshop/storage buildings (of different sizes) and a further building incorporating two stables.

The submitted details show the two proposed workshop/storage buildings to be positioned adjacent to one another alongside the rear site boundary. Both would be of identical gabled form, design and appearance, featuring vertical 'timber like' cladding with shallow pitched roofs finished with metal sheeting.

The larger building would measure 10.5 metres squared whilst the smaller building would measure 10.5 metres by 5.4 metres. Both would have roof eaves and ridge heights of 3.1 metres and 4.5 metres respectively.

The stables, which would be positioned to the south of the workshop/storage buildings, would exhibit a matching built form and external wall and roof finishes. However, it would be oriented at right angles to them and of smaller scale, measuring 7.7 metres in length by a depth of 4.8 metres (excluding a front roof overhang) with roof eaves and ridge heights of 2.1 metres and 3 metres respectively.

The workshop/storage buildings would be used for a variety of storage purposes ancillary to the use and occupation of the property, currently proposed to include storage for a boat and brake trailer and associated safety equipment and other miscellaneous items, two ride-on lawn mowers and, as and when required, a pick-up truck, 2no trailers and a car.

The larger building would also incorporate floor space for the carrying out of restoration work on classic cars (on a hobby basis only) while the smaller building would also house a gym.

It is proposed to remove five young trees to enable the extension of the existing driveway so as to serve the buildings and lay a concrete yard within the north eastern corner of the site. Mitigation in the form of compensatory tree planting is proposed to the south of the extended driveway with the objective of it in time screening the two proposed replacement workshop/storage buildings.

The application is a revised submission following the withdrawal of a previous scheme - subject of application ref. 22/2424/FUL - relating to the construction of a considerably larger single workshop/storage building and separate stables on the same part of the site. The decision to withdraw the application was made in the light of advice as to a likely officer recommendation to refuse on the basis of the excessive scale, and lack of subservience, of the workshop/storage building in relation to the main dwelling as well as its inappropriate design and appearance, principally on account of the intention to use metal wall sheeting; these objections being accentuated by both the elevated nature of the siting of the buildings and the absence of any robust justification for the scale of the workshop/office building, in particular.

Considerations/Assessment

The proposal falls to be considered having regard to the following material considerations that are discussed in turn.

Principle of Development

There is no objection to the fundamental principle of the replacement of ancillary domestic outbuildings.

There is therefore a need to consider the proposal against the more detailed contextual issues set out below.

Design/Appearance and Impact upon AONB

The main material detailed consideration in the assessment of the proposal once again relates to the impact of the proposed development upon the rural landscape character and appearance and landscape and scenic beauty of the designated AONB.

Comparison has been drawn, within the applicant's agents' design and access statement, between the footprint areas and heights of the buildings proposed under application 22/2424/FUL, those proposed under the current application and the existing outbuildings that are to be replaced.

These show the proposed aggregate footprint areas of the two proposed workshop/storage buildings to have been reduced by around 64 square metres (from 221 sq. m. to 157 sq. m.) from the single building proposed under application 22/2424/FUL. This equates to an approximate reduction of 29% in footprint area.

Moreover, although these would still result in an increase of around 85 sq. m. when compared against the aggregate footprint area of the five existing outbuildings (106 sq. m.) to be replaced, representing an approximate 80% increase, the original proposals - submitted under application 22/2424/FUL - envisaged the single building incorporating an area in excess of double this area that would have extended across the plot right up to its eastern boundary with Applegarth. The current proposals would therefore involve more than 20% less floor space overall than before.

Furthermore, neither workshop/storage building would exceed the height of the tallest of the existing outbuildings on the site, which measures 4.6 metres.

It is also considered that the intended use of 'timber like' cladding (the precise detail of which could be secured by condition in the event of a grant of permission; indeed, a natural timber finish would be most appropriate) would represent an improvement, in visual terms, over the metal wall sheeting proposed for the larger single building under application 22/2424/FUL on the basis that this would present a more agricultural, and less commercial, appearance that would be more in keeping with the largely agricultural character of the surrounding countryside to the north of Back Lane.

In addition, it is also contended that the consolidation of the floor space and volume of the existing outbuildings, all of which are of a variety of sizes, forms and appearances, into a smaller number of buildings of similar form and appearance to one another would also improve, to some extent, the appearance of this part of the application site, notwithstanding the appreciable increase in the total overall footprint and volume of building that is still being proposed.

Indeed, when viewed from the main - and, it is considered, only significant - point of public vantage that is available of the site, namely the nearby playing field, it is thought that the overall visual impression that would be created would not be entirely dissimilar to the cumulative impact arising from the existing buildings. From the views available from the playing field, these are spread across the site from west to east and it is not anticipated that the visual effect of the proposed replacement buildings would be so markedly different to the cumulative impact arising from the existing cluster of buildings as to result in materially greater harm to the character or appearance of the area, even allowing for their greater aggregate volume and the overall heights of the two workshop/storage buildings.

Although cumulatively continuing to lack the subservience of the present structures in relation to the main dwelling, it is thought that the combination of the disaggregation of the previously proposed workshop/storage building into two smaller buildings (whose aggregate footprint area would be smaller than before), an improved palette of external finishes that would be more in keeping with the rural setting of the site, the view that the site is sufficiently large in area to accommodate the development without the scheme amounting to overdevelopment of the site and the intention to undertake screen planting represent material factors weighing in favour of this revised proposal.

Whilst the comments made by the parish council, ward member and interested third parties are duly acknowledged, the following points are also drawn to Members' attention.

The fact that the site is within the AONB is not, of itself, reason to withhold a grant of planning permission. Although it is recognised that such areas carry the highest status of protection in relation to the conservation and enhancement of their landscape and scenic beauty within relevant guidance set out in the National Planning Policy Framework (NPPF), this does not equate to a moratorium on development within them. It remains necessary to consider proposals on their individual merits and, in this case, having regard to the balance of the material considerations set out above, it is not thought that the development would result in a

level of harm to the landscape or scenic beauty of this part of the AONB that would justify refusal on such grounds.

The development would be viewed from limited points of public vantage amidst a group of buildings in the form of the ribbon of development of which Luscombes forms part. It is not accepted that it would be visible from 'many' parts of the village as has been claimed. Furthermore, whilst recognising that it would occupy the most elevated part of the site, it is highlighted that, as now, the development would be viewed against the backdrop of a hedge and mature trees beyond, in relation which it is not thought that it would appear unduly dominant to the extent that harm to the rural landscape character or landscape or scenic beauty of the AONB would result.

Furthermore, although the site is located just outside of the Built-up Area Boundary (BuAB) of the village as defined in the adopted Villages Plan and made Neighbourhood Plan, and therefore in policy terms forms part of the countryside beyond it, this does not itself preclude the principle of ancillary development in relation to existing dwellings such as that to which the application relates. Again, it is necessary to consider such proposals on their individual merits.

The design, siting and scale of the buildings is considered to be acceptable in terms of its appearance and impact on the landscape character of this part of the AONB.

Loss of Agricultural Land

Although the site is technically within an area of land that is classified as Grade 1 agricultural land according to the Agricultural Land Classification map, there are two points to highlight. First, as well as the other residential properties within the ribbon of development of which Luscombes is part, this classification also washes over properties in Lark Rise and Hazel Close to the south of Back Lane that are within the BuAB. Secondly, the application site forms part of the land associated with Luscombes and is not agricultural land. The proposed development would not therefore result in any loss of best and most versatile agricultural land as implied by the objection or, therefore, conflict with Local Plan Policy EN13 (Development on High Quality Agricultural Land) which seeks to protect such land.

Furthermore, it is not considered that an argument that the site, which forms part of the applicant's private land holding and is even arguably part of the recognisable curtilage attached to Luscombes, could revert to agricultural use at some future stage would justify opposing the principle of ancillary development.

Indeed, in terms of the intended uses for the buildings, it has been advised that these would be solely ancillary to the use and enjoyment of the dwelling as such and, on this occasion, it is accepted that sufficiently robust justification for the size and scale of development proposed has been provided. As such, it is not thought that an 'exceptional need' for the development needs to be demonstrated in this case.

A condition is recommended to require that the development be used for no other than ancillary purposes and any future proposals to use it for any other purposes would trigger a requirement for a further application to remove this condition or seek a change of use, both of which would be considered on their respective merits.

Impact on Neighbour Amenity

Subject to control being exercised over the uses for the replacement buildings, there are not considered to be any grounds upon which the proposals could reasonably be resisted on the grounds of any substantive adverse impact upon the living conditions of the occupiers of the neighbouring property Applegarth through being unduly physically overbearing, dominating or intrusive or as a result of any impacts arising from their use solely for purposes ancillary to the occupation of the main dwelling.

Furthermore, with the repositioning of the development further from the site boundary with this property from that previously shown under application 22/2424/FUL, it is thought that this argument would be strengthened.

Highways

In view of the nature of the intended uses for the proposed buildings it is not considered that the proposed development would give rise to any adverse effects in relation to traffic generation on the local highway network or highway safety conditions.

Drainage

The application advises that no foul drainage would be generated by the proposed development and that surface water drainage would be discharged via soakaways. This is considered to be acceptable.

Impact upon Heritage Assets

There are no designated or non-designated heritage assets either within, or in the vicinity of, the application site. As such, the proposal would not result in any impact upon heritage significance.

Trees

The inaccuracy of the information set out within the application in regard to the intended felling of trees is acknowledged, as is the likely timescale for the proposed compensatory tree screening to mature in order to take effect.

However, it is not considered that the specimens proposed for removal provide significant value to the general amenity of the area, either individually or cumulatively, that would justify formal protection in the form of a tree preservation order.

As such, and given that the site does not occupy a conservation area location, there would be no control over their removal, regardless of the outcome of the application.

Conclusion

Although the submitted proposals, including the extension to the existing driveway and additional hardstanding area, would increase the presence of built development within the application site, it is considered that the level of impact or harm to its character or appearance or that of the wider AONB would be insignificant and as such the impacts are acceptable.

Paragraph 176 of the NPPF requires that great weight be given to the conservation and enhancement of landscape and scenic beauty in defined designated areas, including AONBs, which have the highest status of protection in relation to these objectives. Paragraph 177 expands upon this to require that the scale and extent of development should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas

In this case, and having regard to the balance of the various material considerations set out above, it is thought that these objectives would be met and, therefore, the proposed development is considered to be in conformity with the various policies within the made Newton Poppleford Neighbourhood Plan that have been cited.

However, the need to ensure that the uses of the buildings remain ancillary to the use and enjoyment of the main dwelling as such, and not for any unrelated commercial purpose, is duly recognised. A condition is therefore recommended to restrict the permitted uses accordingly. Further conditions are also recommended to secure the submission of details of materials and the proposed tree planting for approval.

RECOMMENDATION

APPROVE subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission and shall be carried out as approved.
(Reason - To comply with section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
2. The development hereby permitted shall be carried out in accordance with the approved plans listed at the end of this decision notice.
(Reason - For the avoidance of doubt.)
3. No development above foundation level shall take place until a schedule of materials and finishes, and, where so required by the Local Planning Authority, samples of such materials and finishes, to be used for the external walls and roofs of the proposed development has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
(Reason - To ensure that the materials are sympathetic to the character and appearance of the area, which forms part of the designated East Devon Area of Outstanding Natural Beauty, in accordance with Strategy 46 (Landscape Conservation and Enhancement and AONBs) and Policy D1 (Design and Local Distinctiveness) of the adopted East Devon Local Plan 2013-2031 and Policies EP1 (Conservation and enhancement of the East Devon AONB and Natural Environment) and HQD1 (Maintain the built character of our parish through High Quality Design) of the made Newton Poppleford and Harpford Neighbourhood Plan 2020-2031.)

4. The development hereby approved shall be used solely in conjunction with, and for purposes ancillary to, the use and occupation of the dwelling known as Luscombes, Back Lane, Newton Poppleford EX10 0EZ.
(Reason - A commercial use could cause undue noise to adjoining occupiers and detract from the character of the surrounding area, which forms part of the designated East Devon Area of Outstanding Natural Beauty, contrary to Strategy 46 (Landscape Conservation and Enhancement and AONBs) and Policies D1 (Design and Local Distinctiveness) and EN14 (Control of Pollution) of the adopted East Devon Local Plan 2013-2031.)
5. No development above foundation level shall take place until details as to the size(s) and species of the tree planting shown on drawing no. 8277-07 have been submitted to and approved in writing by the Local Planning Authority. The approved tree planting shall be carried out in the first planting season after commencement of the development, unless any alternative phasing of the planting is agreed in writing by the Local Planning Authority, and shall thereafter be maintained for a period of 5 years. Any trees which die during this period shall be replaced during the next planting season with specimens of the same size and species, unless otherwise agreed in writing by the Local Planning Authority.
(Reason - In the interests of amenity and to preserve and enhance the character and appearance of the area, which forms part of the designated East Devon Area of Outstanding Natural Beauty, in accordance with Strategy 46 (Landscape Conservation and Enhancement and AONBs) and Policies D1 (Design and Local Distinctiveness) and D2 (Landscape Requirements) of the adopted East Devon Local Plan 2013-2031 and Policies EP1 (Conservation and enhancement of the East Devon AONB and Natural Environment) and HQD1 (Maintain the built character of our parish through High Quality Design) of the made Newton Poppleford and Harpford Neighbourhood Plan 2020-2031.)
6. Notwithstanding the submitted details, no development shall take place until a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. Unless it is demonstrated that it is unfeasible to do so, the scheme shall use appropriate Sustainable Urban Drainage Systems. The drainage scheme shall be designed so that there is no increase in the rate of surface water runoff from the site resulting from the development and so that storm water flows are attenuated. The development shall be carried out in accordance with the approved scheme.
(Reason: The details are required prior to commencement to ensure that they fit efficiently within the site layout, protect water quality and minimise flood risk in accordance with Policy EN22 (Surface Run-Off Implications of New Development) of the adopted East Devon Local Plan 2013-2031 and guidance contained with the National Planning Policy Framework (2021).)
7. All existing buildings/structures shown on the approved plans to be replaced shall be demolished and removed from the site prior to the first use of any of the replacement buildings hereby permitted.
(Reason - In the interests of the character and appearance of the area, which forms part of the designated East Devon Area of Outstanding Natural Beauty, in accordance with Strategy 46 (Landscape Conservation and Enhancement and

AONBs) and Policy D1 (Design and Local Distinctiveness) of the adopted East Devon Local Plan 2013-2031 and Policies EP1 (Conservation and enhancement of the East Devon AONB and Natural Environment) and HQD1 (Maintain the built character of our parish through High Quality Design) of the made Newton Poppleford and Harpford Neighbourhood Plan 2020-2031.)

Statement on Human Rights and Equalities Issues

Human Rights Act:

The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance

Equalities Act - In arriving at this recommendation, due regard has been given to the provisions of the Equalities Act 2010, particularly the Public Sector Equality Duty and Section 149. The Equality Act 2010 requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities. Protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race/ethnicity, religion or belief (or lack of), sex and sexual orientation.

NOTE FOR APPLICANT

Informative:

In accordance with the aims of Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 East Devon District Council works proactively with applicants to resolve all relevant planning concerns; however, in this case the application was deemed acceptable as submitted.

Plans relating to this application:

8277-04: stable	Proposed Plans	Combined	22.03.23
8277-07	Proposed Site Plan		21.03.23
8277-08	Proposed Plans	Combined	21.03.23
8277-LP	Location Plan		21.03.23

List of Background Papers

Application file, consultations and policy documents referred to in the report.